

AMENDMENT TO THE DRAWING

Please replace the drawing sheet containing Fig. 1 with the attached replacement sheet 1/3 and add the attached replacement sheet 3/3 containing new Fig. 4, subject to the approval of the Examiner.

REMARKS

Claims 2, 4-6, 8-11 and 15-17 are pending in the application. Claim 17 has been amended. Reconsideration of this application is respectfully requested.

Applicants appreciate the Examiner extending a telephone interview to Applicants' attorney on October 6, 2005. The interview discussion focused on independent claim 17. In particular, the Examiner agreed that French Patent No. 2,705,766 to Sylvain, hereafter Sylvain, does not disclose "a baffle plate comprising a plurality of perforations" and "a catalytic converter mounted to said baffle plate to cover all of said perforations", but that a further search is needed. It was noted that support for this language in claim 17 is found in the specification at page 2, lines 22-24 and at page 3, lines 8 and 9. It was also noted that "apertures" in lines 7 and 9 needs to be changed to "perforations" to correct an antecedent issue. It was further noted that the drawing needs to be amended to show the claimed plurality of perforations. It was agreed that Applicants would submit an Amendment under Rule 116 that addresses the aforementioned antecedent and drawing issues and that the Examiner would withdraw the final Office Action.

Subject to the approval of the Examiner, Figure 1 has been amended by the addition of the line 4 and Figure 4 has been added. Figure 4 shows the back or side of baffle plate 14 that faces the fan 10 with perforations 30 located in the center area and covered by the catalytic plate 22 on the opposite side thereof. It is submitted that there is support for these drawing amendments at pages 2 and 3 of the original specification as noted above.

The specification has also been amended at pages 2 and 3 for compatibility with the amendments to the drawing.

Because there is support in the original specification at pages 2 and 3 of the specification, it is submitted that the amendments to the drawing and the specification do not add new matter and should be entered.

The Office Action rejects 2, 4-6, 8-11, and 15-17 under the second paragraph of 35 U.S.C 112 as indefinite because “apertures” in independent claim 17 has no antecedent. Claim 17 has been amended to correct the antecedent issue by changing “apertures” in lines 7 and 9 to “perforations”, which is recited forth at line 5. Accordingly, it is submitted that the rejection is obviated by the amendment and should be withdrawn.

The Office Action rejects claims 2, 4-6, 8-11, and 15-17 under 35 U.S.C 103(a) as unpatentable over Sylvain in view of UK Patent Application No. 2, 349,458 A to Thornework, hereafter Thornework.

As set forth in the above discussion of the interview, the Examiner has agreed that Sylvain does not disclose “a baffle plate comprising a plurality of perforations” and “a catalytic converter mounted to said baffle plate to cover all of said perforations”, as claimed in independent claim 17. Sylvain discloses an oven having an outer chamber 2 in which a muffle 3 is mounted. Muffle 3 has a back wall 16 that contains a large opening 17. A catalytic plate 20 is mounted in opening 17. A fan 13 is mounted in a housing 21 between back wall 16 and a plate 22 of chamber 2 in which muffle 3 is mounted. Fan 13 is operable to suck air from muffle 3 via catalytic plate 20 and opening 17 and returns the air (filtered by catalytic plate 20) to muffle 3 via a plurality of perforations 28 disposed about opening 17. Thus, Sylvain’s catalytic plate 20 is not mounted to back wall 16 of muffle 3 to cover all of the perforations 28.

Claim 17 also recites a cooking chamber that is defined by chamber walls and a baffle plate that is supported in the cooking chamber to define a cooking area and a fan area so that a space is provided between the baffle plate and the

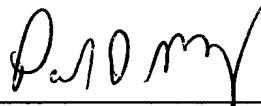
chamber walls. Sylvain's back wall 16 is a back wall of muffle 3 and, therefore, is not a baffle plate supported in the muffle so that a space is provided between the baffle plate and the walls of the muffle. Also, Sylvain, lacking such a space, cannot circulate air between the cooking area and a fan area via the space between the baffle plate and the chamber walls.

Thorneywork circulates the air via ducting 19 and has no baffle plate. Therefore, the combination of Sylvain and Thorneywork lacks a baffle plate that has all of its perforations covered by the catalytic converter and a fan that circulates air between a cooking area and a fan area via all the covered perforations and a space between the baffle plate and the chamber walls as recited in independent claim 17.

It is respectfully requested for the reasons set forth above that the rejection under 35 U.S.C. 103(a) be withdrawn, that claims 2, 4-6, 8-11 and 15-17 be allowed and that this application be passed to issue.

Respectfully Submitted,

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Paul D. Greeley
Reg. No. 31,019
Attorney for Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
(203) 327-4500